

### **REMARKS**

Applicants would like to thank Examiners Thomas Mansfield and Beth Van Doren for the courtesies extended to the Applicants' representative during the telephonic interview of February 7, 2008. During the interview, proposed claims were discussed with respect to the cited references.

The Office Action of December 26, 2007 has been reviewed and the Examiner's comments carefully considered. Claims 1, 3-13, 15-24 and new claim 25 are pending in this application. The present Amendment amends claims 1, 3, 7-9, 10-13, 15 and 18 in accordance with the originally filed specification. Claims 2 and 14 have been cancelled in this Amendment. Claim 25 has been added in this Amendment. No new matter has been added. Support for the amendments can be found at paragraphs [0016], [0019], [0021], [0022], [0038-0041] and in the figures. Claims 1 and 13 are in independent form and have been amended to more particularly define the invention. The remaining pending claims are believed to define over the prior art for the following reasons.

#### **35 U.S.C. §103 Rejection**

Claims 1-24 are rejected under 35 U.S.C. §103(a) as being unpatentable over Pulford., U.S. Patent No. 6,952,679 in view of Sweeney et al., U.S. Publication No. 2003/0111525.

The present invention is directed to a method and system for reporting on the quality of repair work performed on an article (e.g., a vehicle) by collecting quality data at predefined checkpoints and generating cost estimates at those checkpoints.

The Pulford patent discloses a system and method for evaluating performance of retail business operations through the use of data obtained by anonymous shoppers. Anonymous shoppers answer objective questionnaires regarding quality service in several key areas and a report is prepared based on these responses.

The Sweeney application discloses a system and method for determining the status of an article on which work is being performed. More specifically, the Sweeney application discloses utilizing a computer database to maintain vehicle status information while undergoing repair in an autobody repair

shop.

As set forth in MPEP §2143.03, to establish *prima facie* obviousness of a claimed invention, each and every claim limitation must be considered. Where claimed limitations are simply not present in the prior art, a *prima facie* rejection is not supported. Accordingly, since the Pulford patent and the Sweeney application fail to disclose all of the elements in independent claims 1 and 13, and there is no reason to practice those elements based on their teachings, reconsideration of the rejection of these claims is respectfully requested.

Claim 1, as amended, is directed to a method of reporting on the quality of repair work done at a facility and includes steps that are not considered by either Pulford or Sweeney.

In particular, step (b) recites "creating repair checkpoints in a repair facility", in which quality data is generated based on the occurrences of quality problems and is not found in either reference. The Pulford patent discloses using external anonymous shoppers to make observations on the quality of the shopping experience. The Pulford patent does not consider creating internal checkpoints at a repair facility. In addition, the Pulford patent fails to disclose a repair shop that enters quality data into a database in order to evaluate the level of service from the facility since its focus is on retail sales operations. The Sweeney application does not disclose capturing quality data. Instead, Sweeney monitors repair processes and may identify bottlenecks (problem points) in the process. At most, Sweeney discloses particular stages of a repair process at which the status of vehicle repair may be determined. It does not consider generating quality data and estimate data at checkpoints so that a report on quality may be produced. Neither reference considers creating repair checkpoints whereby quality data is generated at each checkpoint per step (d).

Amended claim 1 further includes generating estimate data on the estimated cost for repairing an article in step (c). The estimate data includes a repair estimate factor. This repair estimate factor is utilized in producing reports which provide beneficial information regarding industry indicators per step (f). Neither Pulford nor Sweeney relate to using estimate data, such as repair estimate factors, for sorting quality data and producing a report thereof. Therefore, there is no reason

to practice the method of claim 1 based on these teachings. Claims 3-8 and 11-12 further limit the system method in claim 1 and are allowable for at least the same reasons.

Claim 9, as amended, further specifies the quality data that is sorted. The sortable estimate data factors include: a vehicle manufacturer, vehicle model, vehicle year, insurance company, repair time, labor cost, parts cost, materials cost, total repair cost, repair facility overhead, geographic area and repair level. The Pulford patent does not relate to automotive repairs and therefore, fails to consider either 1) sorting data or 2) reporting data that can be used in the automotive industry, including repair shops, insurance companies or vehicle manufacturers. Sweeney fails to consider utilizing estimate data to perform sorting of this type, to make reports or to perform informed business decisions, because Sweeney is specifically focused toward checking on the status of individual vehicles within a body shop. Therefore, in combination, the teachings of Pulford and Sweeney would not lead one skilled in the art to sort quality data for a repair shop as recited in claim 9.

Claim 10, as amended, recites that the report includes industry indicators that are relevant to vehicle repair, namely, repair shop problems, vehicle repair costs, vehicle repairability and insurance costs for vehicles. Neither Pulford nor Sweeney relate to reporting on the efficiency of repair shops, reporting on the quality data of a type of vehicle or quality data for specific repair shops that are compared to others. Therefore, the combination of teachings regarding evaluations of anonymous shoppers as in Pulford with the status checker in Sweeney does not lead one skilled in the art to practice the methods of the present invention.

Claim 13 is directed to a system for reporting on the quality of repair work done at a facility and includes elements corresponding to the method steps of claim 1. Claim 13 has been amended in accordance with claim 1 to specify that checkpoints are created in a repair facility. Claim 13 has also been amended to recite that the software sorts the tabulated quality data based on an estimate data factor for repair work needed at the checkpoint. For the same reasons as articulated in relation to claim 1, the Pulford patent and the Sweeney application do not provide a rationale for practicing the system of amended claim 13. Claims 15-24 and new

Application No. 10/652,139  
Paper Dated: March 26, 2008  
In Reply to USPTO Correspondence of December 26, 2007  
PPG Docket No. 1880A1 (Attorney Docket No. 3152-035034)

claim 25 further support the system of claim 13. As such, claims 15-24 and new claim 25 define over the prior art.

**Conclusion**

Claims 1, 3-13, 15-24 and new claim 25 are believed to be in condition for allowance. Favorable action is therefore requested.

Respectfully submitted,  
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